

## REMARKS

Upon entry of the amendments, claims 9-18 and 21-25 will be pending in the application. Applicants request reconsideration of the Office Action based upon the following comments.

### *Election/Restrictions*

Applicants confirm the election of Group I (claims 1-18, drawn to the apparatus defined in class 134, subclass 153).

### *Priority*

Applicants acknowledge that the Examiner has received the papers submitted under 35 U.S.C. 119(a)-(d).

### *Drawings*

Applicants have enclosed a replacement figure 6A. The pedestal is now labeled by reference number 154.

Applicants also respectfully submit that the features detailed in claim 14 are shown in the drawings. The “first nozzle” and “second nozzle” are shown with reference number 54d in Figure 10A. The “first ejecting nozzle” and “second ejecting nozzle” are shown with reference number 53a in Figure 10A.

### ***Specification***

The Examiner objected to the use of N<sub>2</sub>-gas in the specification. As the Examiner is aware, one skilled in the art would recognize N<sub>2</sub>-gas as being nitrogen gas. To facilitate prosecution of the application, Applicants have added the parenthetical “nitrogen gas” to the specification.

### ***Claim Objections***

The Office Action sets forth an objection to claim 10. Applicants have amended claim 10 to be in independent form as requested in the Office Action.

The Office Action also sets forth an objection to claim 11. Applicants have amended this claim to identify --nozzle members-- instead of “nozzle member”.

### ***Claim Rejections – 35 U.S.C. § 112***

Claims 4, 5, 7, 8, and 10-15 are rejected as allegedly indefinite.

Claims 4, 5, 7, and 8 have been canceled so the rejection of these claims is now moot.

The subject matter of claim 7, however, has been incorporated into some of the remaining claims. For example, independent claims 10 and 11 now incorporate the features of former claim 7. As amended, these claims obviate the Examiner’s concerns regarding the “hit” language by removing the phrase “also hit the processing liquid on”.

Claim 10 has also been amended to address the Examiner’s concerns regarding “method steps”. Instead of identifying that “the processing liquid is ejected”, the claim now details that the “nozzle is formed so as to eject the processing liquid”. Please note

that the scope of original claim 10 has not been narrowed by this Amendment. Claim 10 has been placed in independent form by incorporating the base claim (former claim 1) and the respective intervening claims (former claims 2, 3, and 7).

Claim 11 has not been amended from the point of view of 35 U.S.C. §112. The specification sets forth the meaning of pedestal. Reference is made to page 13, lines 10-13. The pedestal is for mounting the column-shaped members. The pedestal should have a certain incline angle so that the column-shaped members can be fitted on the nozzle.

Claim 15 has been amended to delete the language “excluding an upper-projected space of the substrates.”

Applicants respectfully request that the rejections be withdrawn because the claims comply with the requirements of 35 U.S.C § 112.

***Claim Rejections – 35 U.S.C. § 102***

Claims 1-9, 11-13, 15, 16, and 18 are rejected as anticipated by Thompson (US 5,022,419). The rejection of claims 1-8 is moot because these claims have been canceled. However, the features from canceled claims 1, 2, 3, and 7 have been incorporated into each of independent claims 10 and 11 so the rejections will be addressed as if applicable to amended claims 10 and 11. Claims 9 and 12-16 depend from claim 10. Claims 14 and 15 also depend from claim 11. Claim 18 is an independent claim.

Regarding independent claim 10, Applicants respectfully submit that Thompson fails to inherently or explicitly disclose that the “nozzle is formed so as to eject the processing liquid against each processing surface of the substrates so that a width of the plane-ejected processing liquid is generally equal to the diameter of the substrate on the

processing surface”. This allows the ejection of the processing liquid to be concentrated and reduce consumption of the processing liquid. As such, the anticipation rejection of independent claim 10, and dependant claims 9, 12, 13, 14/10, 15/10, and 16 should be withdrawn.

Regarding independent claim 11, Applicants respectfully submit that Thompson fails to inherently or explicitly disclose that the “pedestals are formed to incline so that the nozzle members can eject the processing liquid obliquely to the processing surfaces of the substrates.” As such, the anticipation rejection of independent claim 11, and dependant claims 14/11, and 15/11 should be withdrawn.

Regarding independent claim 18, Applicants respectfully submit that Thompson fails to inherently or explicitly disclose “an ejecting orifice formed on an inner face of the processing container so as to face the circular plate, for supplying a processing liquid to the circular plate’s surface facing the inner surface of the processing container.” This configuration allows cleaning and drying of the outside of the circular plate to keep the inner space of the processing container clean. Applicants request that the anticipation rejection of claim 18 be withdrawn.

***Claim Rejections – 35 U.S.C. § 103***

Claim 14 is rejected as obvious in view of Thompson and Thoms (US 5,378,308).

Applicants have carefully considered this rejection, but respectfully request that it be withdrawn. Claim 14 depends from claim 10, which is not anticipated by Thompson (primary reference). Consideration of Thoms (the alleged secondary reference) fails to alleviate the failings of Thompson in regards of claim 14. The alleged references fail to

teach, hint, or suggest to one skilled in the art that a “nozzle is formed so as to eject the processing liquid against each processing surface of the substrates so that a width of the plane-ejected processing liquid is generally equal to the diameter of the substrate on the processing surface”.

Claim 17 is rejected as obvious in view of Thompson. Claim 17 depends from claim 10. As discussed above, Thompson fails to teach all the features of independent claim 10 so dependant claim 17 can not properly be considered obvious. Applicants request that this rejection be withdrawn.

#### ***New Claims***

New independent claim 21 details that the ejecting orifice is located relative to the position of the substrate so that in plan view the ejecting orifice does not overlap with the substrates. In this configuration it is possible to prevent processing liquid, might adhere to the ejecting orifice, from dripping onto the substrates.

New independent claim 24 details that the ejecting orifice is formed and located so the processing liquid is ejected against each processing surface of the rotating substrates in such a way that a width of the plane-ejected processing liquid is generally equal to a radius of the circular substrate, on the processing surface. Therefore, it is possible to narrow the width of flow of the processing liquid, and thereby reduce consumption of the processing liquid.

\* \* \*

Applicants respectfully assert that the application should be allowed. If any additional fees are due in connection with the filing of this response, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to Deposit Account No. 02-4300. Any overpayment can be credited to Deposit Account No. 02-4300.

Respectfully submitted,

Date: April 2, 2003

Signature:



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SGRDC/196637.1